



***Mission Statement: To oversee the management and operation of the Shelter Bay Marina and Harbor and make recommendations to the Shelter Bay Community, Inc. Board of Directors.***

## **I. AUTHORITY**

The Harbor Committee is a permanent standing committee of Shelter Bay Community, Inc. appointed by the Board of Directors in accordance with the Shelter Bay Community, Inc. By-Laws, Article VI, Section 7. The Harbor Committee shall oversee the general framework for the management and operation of the Shelter Bay Marina and Harbor areas. This includes the Shelter Bay Marina pump out station, community boat launch, all private docks and floats, and the Harbor waters. The Harbor Committee acts on behalf of Shelter Bay Community, Inc. The Harbor Committee shall be comprised of no less than five nor more than seven members, of whom two will be Board of Directors members, for the purpose of carrying out and administering the covenants, restrictions, terms and conditions of the said Shelter Bay Community, Inc. Declaration of Protective Covenants and any Rules and Regulations made by the Board of Directors pertaining to Article IV, Section 3 of the By-Laws. Committee members serve a one-year term beginning July 1 and ending on June 30 of the following year. A majority of the members of this committee shall constitute a quorum and it shall meet upon the same notice given by the same officers as required by Article V of the By-Laws for special meetings of the Board of Directors. The Harbor Committee shall conduct and carry-out the mission of the committee as provided by the following.

## **II. OPERATING GUIDELINES**

- A. The Harbor Committee shall maintain a “Mission Statement” and “Operating Guidelines” for approval by the Board. Changes in the above shall be presented to the Board for their approval.
- B. The Harbor Committee will meet regularly at a date, time, and place to be publicized as duly authorized. Any change to the scheduled meeting time will be posted in the Community Office and on the Community website & reader board. The Committee may at times go into executive session to discuss those issues allowed under Washington State law; and as prescribed in Rules and Regulations, Part II, Chapter 20, Committees. Any action taken in such executive sessions will be ratified by the Committee in an open meeting.
- C. The Committee shall consist of seven regular members including two Board members appointed by the Board of Directors. A Harbor Committee quorum will consist of the majority of the appointed committee members per Shelter Bay policies. Meetings may be held in person, by telephone or by other means where members communicate with one another in real time and are able to freely discuss the issues on the agenda, and where provisions can be made for community members' comments.
- D. The Harbor Committee chair will be selected by the committee and recommended to the Board for approval. The Chair shall attend all meetings and assist in maintaining committee records and files. The committee chair will advise the webmaster and committee secretary of the committee’s meeting schedule. The committee will select from its membership a vice chair and, if needed, a secretary. In the event the chair cannot attend meetings, the vice chair shall be asked to conduct meetings in the chair’s absence.
- E. The Harbor Committee chair is responsible for preparing the meeting agenda and providing notice of the meeting to Committee members and community membership. Provisions for



community membership input or comments during the meetings must be made. Notice to Committee members must be made not less than 24 hours in advance of a meeting. In case of emergency, notice of a meeting may be called or waived provided that the Committee members acknowledge the change in email or writing, and the written acknowledgement is retained in the committee's records.

- F. Community notice shall be given by posting an agenda in the business office and on the community web site not less than 24 hours in advance of the meeting. The community notice shall identify the agenda items to be considered, and the time, date, and location of the meeting.
- G. As provided for in Rules and Regulations, Part II, Chapter 20 – Committees, the Committee will post the draft minutes in the business office and distribute them by e-mail to Committee members, Community Manager, Marina Administrator, Harbormaster, and others, as necessary.
- H. Roberts Rules of Order (latest edition) will be used for all committee meetings.
- I. The Harbor Committee chair, with the assistance of the secretary, will provide the Board a monthly written committee activities report. The Committee Secretary shall attend all meetings and assist in maintaining committee records and files.

### III. HARBOR COMMITTEE DUTIES

- A. Provide input to the Community Manager and make recommendations about Harbor matters, as necessary, to the Shelter Bay Community Board of Directors.
- B. Review marina moorage rates annually and recommend proposed rate changes for Shelter Bay resident marina tenants and non-resident marina tenants to Shelter Bay Community Board of Directors.
- C. Provide input to the Community Manager for the annual capital budget plan and Capital Reserve Study.
- D. Draft contingency plans for marina emergency-related issues such as: vessel fire/explosion, oil spill, vessel sinking, abandoned vessel, adverse weather-related issues, medical, dock structural failure, and law enforcement, to be approved by the Shelter Bay Community Board of Directors.
- E. Review existing marina and boat launch rules and regulations; recommend changes, deletions, updates, or new rules for the marina for approval of the Shelter Bay Community Inc. Board of Directors.
- F. Address marina, boat launch, adjacent parking, and related marina infrastructure issues or written complaints from marina moorage renters on a case-by-case basis, and make recommendations for action, as indicated.
- G. Review financial reports periodically and make recommendations, if necessary.
- H. Review and approve or disapprove requests for marina dock work.
- I. Review and provide preliminary approval or disapproval for all Marina electrical, dredging, or other actions requiring permits with Shelter Bay Community Inc., Swinomish Tribe, Skagit County, Washington State, or Federal rules or regulatory agencies.
- J. Review and approve or disapprove permit applications for private dock modifications/expansions and coordinate such projects with the Architectural Compliance Committee.
- K. Provide coordination and input to Facilities Committee for capital projects involving the marina complex, boat launch/washdown, and marina area parking lots.
- L. Provide input to the Community Manager, Marina Administrator, and Harbormaster as to the rules and regulations for operation of the marina, marina parking, community boat launch, and boat launch parking and boat rinse areas.



- M. Maintain liaison with other marinas and marina organizations including membership in such organizations and purchase of magazines or publications relating to marinas.
- N. Recommend to the Community Manager, Compliance Officer, or Harbormaster, as applicable, any fines, sanctions, denial of privileges, and actions necessary and proper for enforcement of the Declaration of Protective Covenants, By-Laws, and Marina and Community Rules and Regulations adopted by Shelter Bay Community, Inc. Board of Directors.
- O. Perform other duties relevant to Harbor operations as may be assigned by Shelter Bay Community, Inc. Board of Directors.

#### IV. **PRIVATE DOCKS**

- A. Vessel extension beyond the end of private slips or docks.
  - 1. In certain cases, the Harbor Committee may grant approval for a vessel to extend beyond the provisions of Rules and Regulations, Part I – General, provided that such an extension does not impair safe navigation and the maneuvering of other vessels. Any such extension granted by the Harbor Committee shall only apply to the current vessel. If the owner wishes to obtain an extension for a replacement vessel, a new application for approval must be submitted to the Harbor Committee. Extensions will not be allowed where docks converge at ‘L’ or ‘U’ shaped docks.
  - 2. Vessel length is the actual working length of the vessel, measured along the centerline from the outermost point at the bow (such as at the anchor roller, or bowsprit) to the outermost point at the stern (such as the outer end of the swim platform, the outside of a dinghy mounted on the swim platform, or the outermost point of any davit system).
  - 3. Dock owners desiring an extension beyond the allowed 10% must first make application to the Harbor Committee. Applications shall include a letter of explanation along with a dimensional drawing to scale of the dock or slip including the vessel as it will be moored. The drawing shall include other slips and vessels in the immediate vicinity and provide the clearances in feet between the requesting owner’s vessel and the nearby vessels and slips.
- B. Procedure for Changes to Private Docks
  - 1. All dock owners who wish to extend or modify their docks, including the addition of electric service, water service, or lighting to their docks, must submit an Application for a Dock Construction Permit Form as provided for in the Architectural Compliance Committee Construction Guidelines.
  - 2. Upon receipt of an application from the Architectural Compliance Committee, the Harbor Committee will determine which lots, if any, may be impacted by the requested change. The owners of those lots will receive a written notice of the application no less than 15 days prior to the date of the Harbor Committee meeting in which the application will be on the agenda.
  - 3. The completed application will be reviewed by the Harbor Committee. The Harbor Committee review will be limited to the following three areas: safety, navigation, and maneuverability. If approved by the Committee, the application will then be submitted to the Architectural Compliance Committee for review and approval. Once approved, the Architectural Compliance Committee will ensure that construction is in accordance with the submitted design drawings.